

REMARKS

Entry of the foregoing, reexamination and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

As correctly noted in the Office Action Summary, claims 1-23 were pending. By the present response, claims 1, 3, 7, 10-12, 14-16 and 22 have been amended, and claim 9 has been cancelled. Thus, upon entry of the present response, claims 1-8 and 10-23 remain pending and await further consideration on the merits.

Support for the foregoing can be found at least at the following location in the original disclosure: Page 5, line 30 through page 6, line 6; and the original claims.

CLAIM REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claims 7, 9, 10, 16 and 22 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite on the grounds set forth on paragraph 4 of the Official Action. By the present response, the claims have been amended in a manner which addresses the above-noted rejections. Thus, reconsideration and withdrawal of the rejections is respectfully requested.

CLAIM INFORMALITIES

Claims 3 and 12 stand objected to for various informalities as noted in paragraphs 5-6 of the Official Action. By the present response, claims 3 and 12 have been amended in a

manner which is believed to address the above-noted informalities. Thus, reconsideration and withdrawal of the objections is respectfully requested.

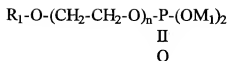
CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 8-11 and 23 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,328,947 to *Monden et al.* (hereafter "*Monden et al.*") in view of U.S. Patent No. 5,397,391 to *Stramel* (hereafter "*Stramel*") or, alternatively, U.S. Patent No. 6,352,586 to *Lassmann* (hereafter "*Lassmann*") on the grounds set forth in paragraph 2 of the Official Action. These rejections, as they would be applied to the presently amended claims, is respectfully traversed.

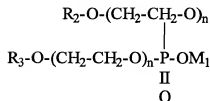
The present invention is directed to an organic sol, solid compounds based on such a sol, and related methods. For instance, an organic sol formed according to the principles of the present invention includes titanium oxide particles, an organic liquid phase, and at least one amphiphilic compound comprising a polyoxyethylenated alkyl ether phosphate.

According to one aspect, an organic sol formed according to the principles of the present invention is defined in amended claim 1. Amended claim 1 recites:

1. *Organic sol, comprising:*
 - *titanium oxide particles;*
 - *an organic liquid phase;*
 - *at least one amphiphilic compound having a formula comprising:*



or



wherein,

R_1 , R_2 and R_3 comprise a linear or branched alkyl group, a phenyl group, an alkylaryl group, or an arylalkyl group;

n represents the number of ethylene oxide units; and

M_1 represents a hydrogen, sodium or potassium atom.

According to a further aspect, a solid compound formed according to the principles of the present invention as set forth in amended claim 11. According to yet another aspect, a formulate for cosmetics, varnishes, paints or plastics comprise an effective amount of the sol defined by amended claim 1 above.

Neither *Monden et al.*, *Stramel* nor *Lassmann* taken alone or in combination, disclose, or even suggest, the subject matter of the presently claimed invention.

Monden et al. is directed to a method of producing fine particles of metal oxide characterized by the hydrolysis of a metal hydride in the presence of an organic solvent. As acknowledge in paragraph 2 of the Official Action, *Monden et al.* fails to disclose a sol, or solid compound, which includes an amphiphilic compound of the type recited by the presently claimed invention.

Stramel is directed to a pigment composition of improved dispersibility in thermoplastic resins, and concentrates of the pigment composition in thermoplastic resins.

As disclosed, for example, in column 2, lines 28-30 of *Stramel*:

The improved inorganic pigments, preferably titanium dioxide pigments, have deposited thereon at least one organophosphate ester treating agent corresponding to the general formula $[RO(R'O)_x]_3 PO$. In this formula, R represents a monovalent lower alkyl radical containing from about 1 to about 6 carbon atoms, R' is a divalent hydrocarbon radical selected from the group consisting of ethylene and propylene radicals and x is a number ranging from about 1 to about 15.

Thus, as readily apparent from the above, *Stramel* also fails to disclose a sol, or solid compound including the amphiphilic compound now defined by the presently claimed invention.

Lassmann is directed to a water-thinable coating composition including binders, inorganic pigments, and additional customary additives. In particular, *Lassmann* discloses for example, that:

Furthermore, the coating composition of the invention comprises esters of phosphoric acid with alcohols or phenols. Aryl esters, alkyl esters and mixed phosphoric esters are used, as are phosphoric derivatives. (Column 3, lines 29-32).

Thus, as readily apparent from the above, *Lassmann* also fails to disclose a sol or solid compound which includes the amphiphilic compound now required by the presently claimed invention.

Therefore, even if *Monden*, *Stramel* and *Lassmann* were combined in the manner proposed, the claimed invention would not result. Reconsideration and withdrawal of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

Applicants note with appreciation the indication claims 2-6, 12-15 and 17-21, as well as claims 7, 16 and 22, contain allowable subject matter, as indicated in paragraph 7-8 of the Official Action.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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